

PINE SHADOWS CIVIC CLUB

Minutes of the August 14, 2021 Meeting

The meeting was held at the Scenic Loop Fire Station. Meeting called to order at 9:11 am by President Don Marlow.

Members present: President-Don Marlow, Vice President-John Long, Treasurer-Chris Caruso, Secretary-Stephanie Bowdoin, Board Member- Neil Cramond. Multiple residents present with sign in sheet attached.

Meeting minutes from June 19, 2021 meeting:

Minutes from June 19, 2021 read by Secretary. Melissa Long made a motion to accept minutes. Katherine Cox seconded motion. Motion carried.

Treasurer Report:

Report read by Chris Caruso, Treasurer. There is currently \$17,518.25 in account. Motion made to accept report. Arch Waller made a motion to accept. Mary Theresa Mullane seconded motion. Motion carried.

Old Business: July 4th Fundraiser event review. Past due lot fees. Boat ramp repairs.

July 4th fundraiser was a huge success and resulted in \$900 profit to Civic Club. All agreed this needed to be an annual event.

There are 5 property owners past due on lot fees. Suggestion made to move invoicing to an electronic software program to be more cost effective, make audits stronger, and would allow electronic invoicing. Neil Crammond suggested Quickbooks and stated the cost was approximately \$12 per month. Chris Caruso agreed we needed to move to an electronic accounting system. Neil made a motion to move to an electronic software system. Melissa seconded motion. All in favor, motion carried.

Boat ramp repairs discussed. Don stated that the boat ramp had only been repaired with a "bandaid" in the past allowing the ramp to continue to deteriorate and become a safety and liability hazard today. Group discussion began regarding using pressurized concrete, pressurized foam, or another repair method. Don said he would call and arrange for contractors to come assess repair needs and provide cost estimates.

New Business: Ruling on AirBnB. Policy to regulate responsibility to owners and operators. Set ground rules for renters and/or weekend rentals. Feedback on deed and by law review.

By laws, deed restrictions, and management certificate were reviewed by Neil Crammond since last meeting. Neil reached out with other POAs in area for feedback on their deed restrictions and by laws. Neil also reported that management certificate was in the name of Mary Kay. Neil recommended that certificate needs to be reviewed further and cleaned up but did not need to be first thing we do.

Neil reported that bylaws were redone in 2019 and that the wording is not clear but doesn't see any changes need as a priority and we are comparable to other POAs with ours. They can be updated but not as a priority at this time.

Resident Arch Waller asked what would he change. Neil responded the wording could have more clarity. Arch asked if before we vote or meet again if we can get more clarity. Don Marlow responded that Neil needed to finish dissecting them and we will work together to make needed changes. Delbra Perkins asked how did bylaws become a mess because a lawyer wrote them. Don responded yes the lawyer reviewed them to ensure wording was legal. Delbra asked if board approved bylaws in 2019 without lawyer review. Don responded no the lawyer did. Lawyer is to ensure bylaws are legal and follow TX State law. Delbra asked if the board approved bylaws with that wording. Neil answered yes the board at that time did approve them. Don stated that we need to make a community effort to decide changes and approve before we take to lawyer to legalize. Neil offered to accept any comments from community to propose. Chris stated that lawyer in past has approved only the changes and we need to decide what we want and have all new bylaws at one time. Neil stated that the bylaws from others are nearly the same but our wording could be changed for clarity. Don stated that Cecil Berg is our lawyer and everyone needs to bring forward their ideas for deed restrictions and bylaws.

Neil stated he looked at deed restrictions and again compared them with other POA in area. We have the smallest document for deed restrictions. Others have 28-37 pages. We have 3. We have less restrictions than others. Neil stated he has not yet received any feedback from other residents on what changes they would like. Bill and Delbra Perkins said they did not see request for feedback earlier and they have been on vacation but did have concerns. Don replied that many residents have been out of town recently and we understand that. Please write down ideas or concerns for discussion. The whole community is not here today and we need to provide an opportunity for all to give their concerns. We will not please all but can do a general consensus.

Neil stated he would finish review of all the POA deed restrictions and our community ideas. Neil pointed out that our deed restrictions are dated 1966 with renewal every 10 years. Neil stated that other POA have renewed theirs and we have not. Don stated that we cannot help what happened in past but we will pick up the pieces and move forward. Apologize for former board not addressing this but we will move forward with this current board. Delbra stated that in the past it was based on personal interpretation and not clear. Neil replied yes, it is not clear and I had to ask what does this mean too.

Multiple group discussion broke out regarding violations not addressed depending on who was on board. Several residents asked if what was wrong now in bylaws would be enforced. Don stated for now yes and we will be updating them. A resident asked what were the deed restrictions on Air BNBs. Neil stated we will go back to that. Others are more specific and ours are weak and don't allow us to enforce, others do. Don asked if anyone wanted to assist Neil with deed restriction and bylaw review. Chris stated he would help. Arch Waller stated he would help. Bill Perkins stated he would help. Don asked them any any others to get with Neil and meet to discuss. Multiple group discussions again broke out regarding violations, board enforcement of them, and would violations be public or a private matter. Don stated that violations would be private. Chris added that if we do think there is something wrong we can't do a lot about it the way it is worded now. Don stated that we can enforce what we have but our restrictions are so vague we have nothing to stand on. We can send 2 letters and then lawyer can put a lien on property. Until we get teeth in ours restrictions we need to be careful. Delbra asked if these minutes would be posted. Multiple board members replied yes. Delbra also stated that there is an eyesore at the beginning of the neighborhood and what are we doing about it. Chris stated that board always goes into a private session to discuss complaints and it would not be in record. Katherine Cox

stated she has property in Illinois and she has lease A, B or C to differentiate what is renter responsibility vs owners. Annie Delling stated that you need contracts when renting to others and give guidelines. Multiple group discussions broke out regarding property owner's liability to renters and need to be specific in rental contract. Neil stated that other deed restrictions have specific clauses for owner/renters. Ours do not, agree with all concerns but the documents we have are not strong enough to enforce or address.

Neil stated he reviewed the legal definition of rental houses. A rental is residential use so deed restrictions allow rental and Air BnB. Don state the Texas Supreme Court ruled Air BnBs are legal residential use. Multiple residents disagreed with this and were encouraged to read the Texas Supreme Court Ruling. Chris said we will focus on noxious activity and address with homeowner. Residents asked if we can have a separate contract along with the Air BnB with our policies and restrictions on how they do business. Don stated we needed to write these issues into our policy but at this time we don't have that. Another group discussion began regarding rental homes with too many people and animals living in them and new dwellings using adjacent property septic to tie in instead of putting in a separate septic system. Don stated that TRA addresses septic issues and to contact them for any problems.

Chris stated that under the new State laws for HOAs the architectural committee cannot have any board members on it. We need to form a new committee without any board members on it. Multiple group discussions broke out concerning needing a policy on what can be built, more septic issues, and more disagreement that Air BnBs should be allowed. Concern with Air BnB is that renters are only there for the weekend and the owners don't care if neighborhood likes it or not. Don again stated that we have to follow the TX State Supreme Court ruling. Again multiple residents commented that even if that is what the law says we need to tell the owners we don't like it, and we have extra traffic and others using boat ramp. Chris commented that many property transfers are to corporations so concerns about more Air BnB in future. Don stated he understood about all the concerns, this cannot be changed overnight and we need to create policy and procedures and deed restrictions. Chris stated there was not a policy in place for lot fee collections when he became Treasurer so he created one. Annie Delling stated that in the last 5 years we have many new residents and we need to consider the policy and procedures more than deed restrictions. Another group discussion broke out between residents regarding concerns about more Air BnBs and not wanting them in the neighborhood. Katherine Cox stated that she was the owner of the Air BnB. She said we bought a house that sat empty for 3 years and spent 100,000s of dollars on house. We would appreciate it if someone came to us to discuss. We have contracts that are very specific. We have doctors and nurses who rent it. I do background checks. We love the neighborhood and I don't want terrible people in my home. Chris stated that she sounded like a responsible owner. Don stated we need policies and procedures. Multiple residents spoke up and asked about the Air BnB decreasing the value of the other homes, that they did not want to live in a place with motels or Air BnBs, concerns about losing sense of community due to short and long term rentals, and that this neighborhood started out as a fishing camp and is now a neighborhood with families. Chris stated that the TX State Supreme Court ruled on Air BnBs. We are not solving this today. We need a policy on this so let's get together and work together to create one. Arch Waller asked about addressing county ditches that don't drain, we pay and don't get services. Annie said the county says they do them 1x a year. Don stated that he understood that he needed to request a ditch clean and was told people complained about not being able to mow. We need to make a map of what needs to be drained and get with County. Delbra said in past people didn't maintain clean ditches or burned trash in them and the

culverts were supposed to be replaced. Arch said he called the County commissioner and they were supposed to come and did not. Don said the only County road is Pine Shadows, Inlet is communittee maintained. Delbra said when the roads were redone all the roads were supposed to be county dedicated, part of the county. Don replied only county maintained road is Pine Shadows. Annie said we researched this and all ditches are county responsibility. Don said when he asked was told only county owned road is Pine Shadows. The rest we have to pay ½ for maintenance or we will have limestone rock put down. Arch stated if county neglect is causing damage to property they need to be held accountable.

Neil stated that Chris manages all invoicing of neighborhood. Neil made a motion to purchase an electronic software program for financial management like Quick books. Melissa Long seconded motion. Motion carried.

Chris stated we needed to change boat ramp lock from code to a key with fee due to liability issues and change key every 2 years. Chris requested motion to change to a key for ramp. Pat made motion. Chris seconded motion. Motion to change from code to key with fee carried.

Don asked all present to send any concerns or complaints to him in writing to be addressed.

Adjourn: Chris made motion to adjourn meeting. Stan Geatry seconded the motion. Meeting adjourned at 11:51 am

Minutes Attestation Statement: The above minutes are a true representation of what transpired at the meeting to the best of my knowledge.



Stephanie Bowdoin, Secretary of the Board of Directors

Don Marlow, President of the Board of Directors

Sign in HOA meeting 8/14/21

Stephanie Bowden

Neil Cramond

Pauline Adams

Arch Waller

Dufford

Melissa Long

Debra Perkins

Bill Perkins

John & Mary

JOHN LONG

THERESA MULLANE

STAN + Roxanne Gentry

SHARON CARUSO

Mary Gentry

Sharon Caruso

CHRISTOPHER CARUSO

PINE SHADOWS CIVIC CLUB

Minutes of the August 28, 2021 Special Called Meeting

The meeting was held by telephone. Meeting called to order at 6:00 pm by President Don Marlow

Members present: President Don Marlow, Treasurer Chris Caruso, Vice President John Long, Secretary-Stephanie Bowdoin, Board Members-Neil Crammond, and David Reaves

Purpose: To vote on proposed boat ramp bid.

Don stated that the emergency meeting is to approve the bid made for boat ramp repairs. Are there any other discussion on this project? I believe everyone has seen the bids from both parties.

Stephanie made a motion to vote on a bid. Chris seconded the motion. Chris made a motion to go with the bid from Keith Reynolds for a maximum of up to \$7000. Neil asked if we could get some more definition of work and idea of success. I support but wonder if we limit our exposure. Stephanie asked if anyone felt that we needed more bids. Don asked if anyone had any other discussion. Chris stated that he and Don had both discussed the work and expectation of success with Keith (Reynolds). I also spoke with PolyTex about the work they would do and their expectation of success. John Long said let's get it fixed. Neil stated he did not think we needed more bids but maybe some more words of the Reynolds bid. John replied that he highly doubted more can be given until it is opened up for inspection. Chris said that having gone over the scope of work with him in person that the description is adequate. John said the expectation shows he will cut the current concrete out, fill it with flowable concrete. It is cut and dry. Chris stated he concurred with John. Neil said that the quote has a 20% variance and we are approving another 20% by approving up to \$7000. Who is going to monitor the work and look after interest? John said that we have a motion and a second to vote. Shall we vote? Don said he spoke with Keith this am and will be ready to start. Chris said he volunteered to monitor the work and asked for a second set of eyes to monitor. Don said that if anyone wanted to watch the work to go down to the ramp and watch. Don then asked for vote to accept Keith Reynolds bid up to \$7000. All in favor, motion carried.

Don asked for updates on Quick book. Chris said Neil and he had looked into it. It's a minimum of \$25/month for a single user and \$50/month for a 3 user account. There is a 90 day 50% off but in the long term it's irrelevant. So we need to decide whether we want to spend \$25 or \$50 a month. A single user is same as now with no oversight but \$50/month is almost untenable. All records are now stored on the G-Drive in the cloud and anyone can look at the records anytime. Neil stated we could keep looking for a cheaper solution and maintain the current practices for a little longer. Chris recused himself from the vote as he would seem biased. Neil said he recalled that the current mailing and stamp costs are just over \$300/year. Don asked Chris what he thought would be most beneficial for the POA, going with this other program or sticking with the \$300/year stamps? David stated that we needed to wait until the next meeting to discuss non emergency items. Stephanie agreed and said let's keep this discussion for the ramp and use another meeting for Quick Books. Neil said he believed we needed a face to face meeting between the board between the POA meetings. Don asked Neil if this was something that we can table until next meeting. Stephanie said we could have another special meeting specifically for the Quick Books issue. Don requested a motion to have another special called meeting to discuss Quick

PINE SHADOWS CIVIC CLUB

Minutes of the September 18, 2021 Special Called Meeting

The meeting was held at the Scenic Loop Fire Station. Meeting called to order at 9:03 am by President Don Marlow.

Members present: President-Don Marlow, Vice President-John Long, Treasurer-Chris Caruso, Secretary-Stephanie Bowdoin, Board Members Neil Cramond and David Reaves. Multiple residents present with sign in sheet attached.

Meeting minutes from August 14 and August 28, 2021 meeting:

Motion to accept minutes and read at next meeting due to this being a special called meeting. David Reaves made motion, Carol Ann Benoit 2nd. Annie Delling opposed. Motion carried

Treasurer Report:

Report read by Chris Caruso, Treasurer. There is currently \$17,400 in account. Boat ramp repairs cost \$4100. To date \$2000 in donations received towards boat ramp repair. Chris also mentioned that the final repair cost was \$20K lower than the highest estimate. Delbra Perkins asked why there were different bid amounts. Chris replied that there was no way to know exactly what was wrong until repair started. Motion made to accept report. John Long made a motion to accept. David Reaves seconded motion. Motion carried.

Old Business: Quick Books, Deed Restrictions

Chris reported that for single use user Quick Books is \$25 a month, not unreasonable. Chris also mentioned that there would be an increased amount of data entry at first and might need a volunteer for that. Carol Ann volunteered to help. Annie asked what was the purpose of using this. Chris replied it was the industry standard, good for audits. Chris also mentioned that there was a large amount of changes for resident contact info. Carol Ann said to request tax records, it was free for HOA. Chris stated that corporations were buying property and cannot get their contact info from abstract.

Delbra stated that she understands that times have changed but she thinks that the board needs to do whatever their position calls for instead of using costly tech. David agreed. Chris stated the started due to cost of paper, ink, and stamps and could we decrease cost with quick books. Carol Ann said we used to have a spreadsheet with all contact for invoicing with the newsletter on back. Annie said not everyone read the back of invoice. Melissa said we could go door to door to get contact info. Stephanie Bowdoin said we could use the ice cream social to get contact info also. Don Marlow asked for a motion to table Quick books. David made motion, Carol Ann 2nd motion. Motion carried. Annie stated she has a program, it only costs to go live. She will give to us to try and see how it works before paying to use it if we want. Neil stated it costs \$300/year to mail so if we don't make a choice soon we will be right back there. Bill Perkins said we don't need to increase dues for mailing, that will be a problem. Carol Ann said when she did this she just paid to mail them, as a neighbor. Chris stated he volunteered \$ to this as well. Neil stated that as a neighborhood we are required to submit a tax return and we never have. Carol Ann stated we are non profit so we don't have to. Don replied it did not matter, we still need to file. Carol Ann replied when she was treasurer we did that so don't say it never was done. Delbra said

she was told old records were burned. Carol Ann said she gave everything to Al Brasher. Delbra said it was hard for new people to understand how we feel because we did what we were supposed to, the interim board did not. Don stated he was told we never filed taxes. Carol Ann said you want to tell me that we were never told we need to file, we did file. I really feel like something is wrong, I get offended because we know what was done, we worked hard to get re-established. Don stated we were reinstated under Mary Kay then the last 7 years we never filed. Annie stated it was brought up in past boards that if we did not hear from government we did not owe. Bill stated that for the last 7 years the board did not do their job but before that they did and that is why they are offended. Carol Ann stated nobody asked her what we had left. Don stated he respected those who worked hard in past but we were told records are burned. Chris said he had to go with what he was told and you're asking me to not trust what I was told. Don replied all we can do is work with what we have. I have received some info from Annie. Delbra replied she was here longer than Annie. Neil stated when we were elected people said they wanted change, we are trying to change but not getting support. Bill asked what are you trying to change? Neil stated we are asking for support from community. Bill replied that deed restrictions don't all need change. Neil stated you asked for change. Bill replied people here are doing things now that shouldn't that are already in them. Don requested to put all concerns in writing. Bill said had issue with Chris's travel trailer. Delbra said she is upset about other neighbor's response to her comments. Pat Ford is upset about the blue building. Neil repeated that this is why the deed restrictions needed to be updated. Don replied we cannot go back because of what past boards have done or allowed. We cannot go ripping up people's house or telling them to remove structures or we would have a lawsuit. Bill requested board to send letters of basic clean up junk out of their yards. Bill said he would put in notice to Don. Don requested that Bill discuss issues with neighbors and address with them first. Annie brought up the log cabin house and how the past boards talked and wrote 4 letters to attempt to clean up their house. Neil repeated that there was a huge need to update the deed restrictions. Neil stated he will send out 2nd revision of deed restrictions with input received from others.

Short term rental property brought up prompting multiple discussions with residents. Pat said she and Arch Waller placed a letter about Port Aransas fining people \$1K per day penalty on board member's front door. Don said different counties have different rules and it would need to go before county commissioner. Neil said we should wait and see what the outcome Commodore Cape has where they are trying to dispute said properties. Neil also said adding in controls in the rules will be the first approach to this issue.

Don showed group a vehicle pass for boat ramp. Group said to hold off on vehicle tags since there has not been a problem.

New Business: Upcoming Poker Run Fundraiser, Ice cream Social,

Melissa Long asked if we wanted a food sale along with Poker Run. Carol Ann offered to make jambalya and donate it. Melissa requested a laminator for making signs. Neil offered to donate one. Melissa said she has decorations for ice cream social and all food is donated so no cost to HOA.

Adjourn: David made motion to adjourn meeting. Annie seconded the motion. Meeting adjourned at 11:25 am

Minutes Attestation Statement: The above minutes are a true representation of what transpired at the meeting to the best of my knowledge.



Stephanie Bowdoin, Secretary of the Board of Directors

Don Marlow, President of the Board of Directors

9/18/21

Sign in Sheet

Stephanie Bowdoin

Neil Cramond

DAVID W REAVES

Melissa Long

Pat Ford

Arch Waller

Debra Perkins

Bill Perkins

Pauline Adams

Carolann Benoit

~~Mary Denby~~

~~Sharon Caruso~~

~~Anne Leiby~~

Wanda Felford

Sip Straus

Cindy Straus